

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims:**

**Claim 1 (Currently amended):** An apparatus comprising:

a longitudinal member connectable with a bone portion;

a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;

a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage and being movable relative to said housing, said longitudinal axis of said fastener being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said second passage;

a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;

a member fixedly connected to said housing and extending from said housing into engagement with said spacer, said member applying an axial force to said spacer to maintain said spacer in frictional engagement with said fastener to prevent relative movement between said fastener and said housing when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener and said housing being manually movable relative to each

other in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer; and

a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**Claims 2-4 (Cancelled)**

**Claim 5 (Previously presented):** An apparatus as defined in claim 30 wherein said second axial end portion is deformed into engagement with said housing to fixedly connect said member to said housing.

**Claim 6 (Previously presented):** An apparatus as defined in claim 31 wherein said spacer has a groove into which said member extends.

**Claim 7 (Previously presented):** An apparatus as defined in claim 31 wherein said member has a surface engageable with said spacer that urges said spacer axially toward said fastener and into frictional engagement with said fastener as said member is inserted through said housing.

**Claim 8 (Original):** An apparatus as defined in claim 1 wherein said fastener includes a first part spherical surface engageable with a part spherical surface of said housing.

**Claim 9 (Original):** An apparatus as defined in claim 8 wherein said fastener includes a second part spherical surface engageable with said spacer.

**Claim 10 (Original):** An apparatus as defined in claim 9 wherein said fastener includes a surface engageable with said spacer to limit relative movement between said fastener and said housing.

**Claim 11 (Original):** An apparatus as defined in claim 10 wherein said second part spherical surface has a diameter smaller than a diameter of said first part spherical surface, said surface engageable with said spacer to limit relative movement between said fastener and said housing extending between said first and second part spherical surfaces.

**Claim 12 (Original):** An apparatus as defined in claim 1 wherein said spacer has an opening through which a tool extends to engage said fastener when said longitudinal member is disengaged from said spacer.

**Claim 13 (Original):** An apparatus as defined in claim 1 wherein said clamping mechanism includes a threaded member threadably engageable with said housing.

**Claim 14 (Original):** An apparatus as defined in claim 13 wherein said threaded member engages said longitudinal member to clamp said longitudinal member against said spacer.

**Claim 15 (Original):** An apparatus as defined in claim 13 wherein said threaded member and said housing have a buttress thread.

**Claim 16 (Original):** An apparatus comprising:

a longitudinal member connectable with a bone portion;

a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;

a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage and being movable relative to said housing, said longitudinal axis of said fastener being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said second passage;

a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;

a pin member fixedly connected to said housing and extending from said housing into engagement with said spacer to retain said spacer and said fastener in said housing when said longitudinal member is disengaged from said spacer; and

a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**Claim 17 (Original):** An apparatus as defined in claim 16 wherein said pin member maintains said spacer in frictional engagement with said fastener to prevent relative movement between said fastener and said housing when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener and said housing being manually movable relative to each other in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer.

**Claim 18 (Original):** An apparatus as defined in claim 16 wherein said pin member extends transverse to said longitudinal axis of said second passage.

**Claim 19 (Original):** An apparatus as defined in claim 16 wherein said pin member extends through said housing and into engagement with said spacer.

**Claim 20 (Original):** An apparatus as defined in claim 19 wherein said pin member has a first axial end portion with a first diameter that engages said spacer and a second axial end portion with a second diameter larger than said first diameter that engages said housing.

**Claim 21 (Original):** An apparatus as defined in claim 20 wherein said second axial end portion is deformed into engagement with said housing to fixedly connect said pin member to said housing.

**Claim 22 (Original):** An apparatus as defined in claim 19 wherein said spacer has a groove into which said pin member extends.

**Claim 23 (Original):** An apparatus as defined claim 16 wherein said fastener includes a first part spherical surface engageable with a part spherical surface of said housing and a second part spherical surface engageable with said spacer.

**Claim 24 (Original):** An apparatus as defined in claim 23 wherein said second part spherical surface has a diameter smaller than a diameter of said first part spherical surface, said fastener including a surface engageable with said spacer to limit relative movement between said fastener and said housing extending between said first and second part spherical surfaces.

**Claim 25 (Original):** An apparatus as defined in claim 16 wherein said spacer has an opening through which a tool extends to engage said fastener when said longitudinal member is disengaged from said spacer.

**Claim 26 (Original):** An apparatus as defined in claim 16 wherein said clamping mechanism includes a threaded member threadably engageable with said housing.

**Claim 27 (Original):** An apparatus as defined in claim 26 wherein said threaded member engages said longitudinal member to clamp said longitudinal member against said spacer.

**Claim 28 (Original):** An apparatus as defined in claim 26 wherein said threaded member and said housing have a buttress thread.

**Claim 29 (Previously presented):** An apparatus comprising:

- a longitudinal member connectable with a bone portion;
- a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;
- a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage and being movable relative to said housing, said longitudinal axis of said fastener being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said second passage;
- a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;
- a member fixedly connected to said housing and extending from said housing into engagement with said spacer to maintain said spacer in frictional engagement with said fastener to prevent relative movement between said fastener and said housing when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener and said housing being manually movable relative to each other in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer, said member being a pin member extending transverse to said longitudinal axis of said second passage;
- and

a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**Claim 30 (Previously presented):** An apparatus comprising:

a longitudinal member connectable with a bone portion;

a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;

a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage and being movable relative to said housing, said longitudinal axis of said fastener being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said second passage;

a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;

a member fixedly connected to said housing and extending from said housing into engagement with said spacer to maintain said spacer in frictional engagement with said fastener to prevent relative movement between said fastener and said housing when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener and said housing being manually movable relative to each other in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer, said member extending through said housing and into engagement with said spacer, said member



having a first axial end portion with a first diameter that engages said spacer and a second axial end portion with a second diameter larger than said first diameter that engages said housing; and

a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**Claim 31 (Previously presented):** An apparatus comprising:

a longitudinal member connectable with a bone portion;

a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;

a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage and being movable relative to said housing, said longitudinal axis of said fastener being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said second passage;

a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;

a member fixedly connected to said housing and extending from said housing into engagement with said spacer to maintain said spacer in frictional engagement with said fastener to prevent relative movement between said fastener and said housing when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener and said housing being

manually movable relative to each other in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer, said member extending through said housing and into engagement with said spacer; and  
a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**Claim 32 (Previously presented):** An apparatus comprising:

a longitudinal member connectable with a bone portion;  
a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;  
a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage and being movable relative to said housing, said longitudinal axis of said fastener being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said second passage;  
a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;  
a member fixedly connected to said housing and extending from said housing into engagement with said spacer to maintain said spacer in frictional engagement with said fastener, said member including means for preventing relative movement between said fastener and said housing when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener

and said housing being manually movable relative to each other upon application of a force in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer; and

a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**Claim 33 (Previously presented):** An apparatus as defined in claim 32 wherein said fastener includes a first part spherical surface engageable with a part spherical surface of said housing.

**Claim 34 (Previously presented):** An apparatus as defined in claim 33 wherein said fastener includes a second part spherical surface engageable with said spacer.

**Claim 35 (Previously presented):** An apparatus as defined in claim 34 wherein said fastener includes a surface engageable with said spacer to limit relative movement between said fastener and said housing.

**Claim 36 (Previously presented):** An apparatus as defined in claim 35 wherein said second part spherical surface has a diameter smaller than a diameter of said first part spherical surface, said surface engageable with said spacer to limit relative movement between said fastener and said housing extending between said first and second part spherical surfaces.

**Claim 37 (Previously presented):** An apparatus as defined in claim 32 wherein said spacer has an opening through which a tool extends to engage said fastener when said longitudinal member is disengaged from said spacer.

**Claim 38 (Previously presented):** An apparatus as defined in claim 32 wherein said clamping mechanism includes a threaded member threadably engageable with said housing.

**Claim 39 (Previously presented):** An apparatus as defined in claim 38 wherein said threaded member engages said longitudinal member to clamp said longitudinal member against said spacer.

**Claim 40 (Previously presented):** An apparatus as defined in claim 38 wherein said threaded member and said housing have a buttress thread.

**Claim 41 (Currently amended):** An apparatus comprising:

- a longitudinal member connectable with a bone portion;
- a fastener engageable with the bone portion having a longitudinal axis and connecting said longitudinal member to the bone portion;
- a housing having a first passage through which said longitudinal member extends, said housing having a second passage with a longitudinal axis extending transverse to said first passage, said fastener extending through an opening in said housing into said second passage, said housing being movable

relative to said fastener, said longitudinal axis of said second passage being positionable in any one of a plurality of angular positions relative to said longitudinal axis of said fastener;

a spacer received in said second passage of said housing and engageable with said fastener and said longitudinal member;

a member fixedly connected to said housing and extending from said housing into engagement with said spacer, said member applying an axial force to said spacer and holding said spacer in frictional engagement with said fastener, said member holding said longitudinal axis of said second passage of said housing in any one of said plurality of positions relative to said longitudinal axis of said fastener when said longitudinal member is disengaged from said spacer and said spacer engages said fastener, said fastener and said housing being manually movable relative to each other in opposition to said frictional engagement when said longitudinal member is disengaged from said spacer; and

a clamping mechanism that clamps said longitudinal member, said spacer, and said housing to said fastener to prevent movement of said fastener relative to said housing.

**SUMMARY OF INTERVIEW**

**Exhibits and/or Demonstrations**

No exhibit was shown and no demonstration was conducted.

**Identification of the Claims Discussed**

Claims 1-4, 8-15 and 32-41 were discussed.

**Identification of Prior Art Discussed**

U.S. Patent No. 6,440,132 to Horvath et al.

**Proposed Amendments Discussed**

As set forth in the Examiner's Interview Summary.

**Principal Arguments and Other Matters**

The proposed amended claims are allowable over the art of record.

**Results of Interview**

Agreement was reached on claims 1 and 41 as presented herein.